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SAN FRANCISCO DISTRICT

US Army Corps
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Regulatory Branch
333 Market Street
San Francisco, CA 94105-2197

PUBLIC NOTICE

NUMBER: 26511N

DATE: December 19, 2003

RESPONSE REQUIRED BY: January 19, 2003

PERMIT MANAGER: Philip Shannin

PHONE: 415-977-8445

Email: pshannin@spd.usace.army.mil

1. INTRODUCTION: Mr. Charlie Traboulsi, c/o TDG Engineers, 3289 Regional Parkway, Santa Rosa, California 95403, through his consultant Charlie Patterson (925-938-5263) proposes to establish a wetland mitigation bank, named the Horn Avenue Mitigation Bank. This bank would be comprised of 3 non-contiguous parcels, to be implemented as Phases 1, 2, and 3 (Figures 1 and 2). All three parcels are located on the southeastern edge of Santa Rosa, just north of Rohnert Park. This area is zoned as a "Community Separator", an area comprised solely of single family homes and open space. Phase 1 is approximately 10 acres located at 298 Horn Avenue (APN 045-041-020). Phase 2 is approximately 14 acres, located at 469 Hunter Lane Extension (APN 045-131-012). Phase 3 is approximately 9 acres, located at 464 Horn Avenue (APN 045-162-030).

Phases 1 and 2 contain a small amount of wetlands, which shall be avoided (Figures 4 and 5). Although these wetlands will be preserved as part of the bank, no credit is being sought for their preservation. Phase 3 contains 0.05 acre of linear wetlands (Figure 6), which shall be filled to construct the bank. The applicant seeks a permit from the Corps of Engineers to fill these wetlands and this fill would be subtracted from the total wetland credits credited by the bank. Once the wetland bank is approved and constructed, possessors of wetland fill authorizations pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344) could satisfy a portion or all of their mitigation requirements at the proposed bank.

2. PROJECT DESCRIPTION: Phase 1 is nearly

level and has been heavily grazed and farmed historically. A shallow trough-like wetland swale runs along the western fence line and shall be avoided during construction. The site consists of dense Clear Lake clay (Figure 3), and past use has replaced the native vegetation with weedy annual grasses. The northern part of this site has a thin layer of imported fill, but this material consists of typical local soils, which are not expected to impede wetland construction. No woody vegetation or wetlands will be impacted by construction of this phase. Phase 1 is expected to result in 4.5 acres of created seasonal wetlands (Figure 4). This parcel already has a agricultural/conservation easement with the Sonoma County Agricultural Preservation and Open Space District, which is compatible with the Bank's stated purpose.

Phase 2 has also been heavily grazed and hay farmed, resulting in a very similar appearance to Phase 1. The site is nearly level with no structures or woody vegetation and Clear Lake clay soil. The only wetland present is a grassy swale in the northwestern part of the site, which shall be avoided. Phase 2 is expected to result in the creation of 6.5 acres of seasonal wetlands (Figure 5).

Phase 3 contains eleven parallel ditches that cross the site east to west. These ditches have been delineated as jurisdiction wetlands by the Corps and contain wetlands species, such as *Pleuropogon*, *Lolium multiflorum*, *Rumex crispus*, and *Hordeum brachyantherum*. These wetlands are low quality due to the past agriculture use of this site. Therefore, these

wetlands shall be filled as part of the bank construction and replaced with higher quality seasonal wetlands. In addition, there is a drainage feature that runs north to south, along the eastern fenceline. This wetland appears to be inundated for a longer duration than the ditches described above, containing species such as *Eryngium*, *Rumex*, *Lasthenia*, *Eleocharis*, *Glyceria*, and *Downingia*. This wetland shall not be filled as part of the bank construction.

The soils on Phase 3 include a localized pocket of Huichica loam in the north and Clear Lake clay in the southern quarter. A county flood control channel runs immediately south of the site, but is separated by a sizeable berm and gravel road. Phase 3 is expected to result in the creation of approximately 5 acres of seasonal wetlands (Figure 6).

The constructed wetland credits would be sold in 0.05 acre increments to persons requiring wetland mitigation as a condition for a Department of the Army, Regional Water Quality Control Board (RWQCB), U.S. Fish and Wildlife Service (FWS), California Department of Fish and Game (DFG), or other permits. The bank would be administered pursuant to a Bank Enabling Instrument between Mr. Charlie Traboulsi, the U.S. Army Corps of Engineers (USACE), the U.S. Environmental Protection Agency (EPA), the FWS, the RWQCB, and the DFG.

The bank's proposed service area is Sonoma County, but most users are anticipated to be permittees in the general vicinity of Rohnert Park, Cotati, and southern Santa Rosa.

After completion of the required monitoring period and sale of all credits, all bank sites will be subject to a formal conservation easement or be granted in fee title to some agency-approved public trust entity, such as DFG. Long term management will be for wetland resource conservation, and the bank operator will provide management endowment funds upon transition.

3. SUBMISSION OF COMMENTS: Interested parties may submit in writing any comments concerning this activity. Comments should include the proponents' names, the number, and the date of the notice and should be forwarded as to reach this office within the comment period specified on page one of this notice. Comments should be sent to the Regulatory Branch. It is Corps policy to forward any such comments, which include objections, to the proponents for resolution or rebuttal. Additional details may be obtained by contacting the proponent, whose address is indicated in the first paragraph of this notice, or by contacting Philip Shannin of our office at telephone 415-977-8445 or by e-mail at pshannin@spd.usace.army.mil. Details on any changes of a minor nature, which are made in the final mitigation bank documents, will be provided on request.